

## CHAPTER 87—WATER RESEARCH AND DEVELOPMENT

### §§ 7801, 7802. Repealed. Pub. L. 98-242, title I, § 110(a), Mar. 22, 1984, 98 Stat. 101

Section 7801, Pub. L. 95-467, § 2, Oct. 17, 1978, 92 Stat. 1305, set out Congressional findings and declarations for a water research and development program.

Section 7802, Pub. L. 95-467, § 3, Oct. 17, 1978, 92 Stat. 1305, set out Congressional statement of purpose.

For similar provisions, see section 10301 et seq. of this title.

#### SAVINGS PROVISION

Pub. L. 98-242, title I, § 110(b), Mar. 22, 1984, 98 Stat. 101, provided that: "Rules and regulations issued prior to the date of enactment of this Act [Mar. 22, 1984] under the authority of Public Law 95-467 [this chapter] shall remain in full force and effect under this Act [repealing this chapter and enacting chapter 109 (§ 10301 et seq.) of this title] until superseded by new rules and regulations promulgated under this Act."

#### SHORT TITLE

Pub. L. 95-467, § 1, Oct. 17, 1978, 92 Stat. 1305, which provided that Pub. L. 95-467 was to be cited as the "Water Research and Development Act of 1978", was repealed by section 110(a) of Pub. L. 98-242.

## SUBCHAPTER I—WATER RESOURCES RESEARCH AND DEVELOPMENT

### §§ 7811 to 7819. Repealed. Pub. L. 98-242, title I, § 110(a), Mar. 22, 1984, 98 Stat. 101

Section 7811, Pub. L. 95-467, title I, § 101, Oct. 17, 1978, 92 Stat. 1306, related to establishment of research and technology institutes.

Section 7812, Pub. L. 95-467, title I, § 102, Oct. 17, 1978, 92 Stat. 1307, authorized use of appropriated funds for printing and publishing of program results, and planning, coordinating, and conducting of cooperative research.

Section 7813, Pub. L. 95-467, title I, § 103, Oct. 17, 1978, 92 Stat. 1308, set out responsibilities of Secretary of the Interior in prescribing procedures, rules, and regulations, and in developing a 5-year water resource research program.

Section 7814, Pub. L. 95-467, title I, § 104, Oct. 17, 1978, 92 Stat. 1308, related to non-impairment of legal relationship between State governments and educational institutions involved in water research and to prohibition with regard to any Federal control of educational institutions.

Section 7815, Pub. L. 95-467, title I, § 105, Oct. 17, 1978, 92 Stat. 1308, provided for making of grants and contracts.

Section 7816, Pub. L. 95-467, title I, § 106, Oct. 17, 1978, 92 Stat. 1309, set out range of program issues and provided for due consideration to be given to priority problems.

Section 7817, Pub. L. 95-467, title I, § 107, Oct. 17, 1978, 92 Stat. 1309, defined "State".

Section 7818, Pub. L. 95-467, title I, § 108, Oct. 17, 1978, 92 Stat. 1309, authorized advance payment of initial expenses.

Section 7819, Pub. L. 95-467, title I, § 109, Oct. 17, 1978, 92 Stat. 1309, provided for study and design of water resources programs and activities and for reports to Congress.

For similar provisions, see section 10301 et seq. of this title.

## SUBCHAPTER II—WATER RESEARCH AND DEVELOPMENT FOR SALINE AND OTHER IMPAIRED WATERS

### §§ 7831 to 7835. Repealed. Pub. L. 98-242, title I, § 110(a), Mar. 22, 1984, 98 Stat. 101

Section 7831, Pub. L. 95-467, title II, § 200, Oct. 17, 1978, 92 Stat. 1310, set out Congressional findings and declaration of policy in establishing a program for water research and development for saline and other impaired waters.

Section 7832, Pub. L. 95-467, title II, § 201, Oct. 17, 1978, 92 Stat. 1310, set out functions of the Secretary.

Section 7833, Pub. L. 95-467, title II, § 202, Oct. 17, 1978, 92 Stat. 1310, set out additional functions of the Secretary with regard to demonstrations and prototype plants, utilization of Federal expertise, and financial assistance from State or public agencies.

Section 7834, Pub. L. 95-467, title II, § 203, Oct. 17, 1978, 92 Stat. 1311, authorized the Secretary to issue rules and regulations to carry out this subchapter.

Section 7835, Pub. L. 95-467, title II, § 204, Oct. 17, 1978, 92 Stat. 1311, defined "saline and other impaired water", "United States", "pilot plant", "demonstration", and "prototype".

For similar provisions, see section 10301 et seq. of this title.

### § 7836. Transferred

#### CODIFICATION

Section, Pub. L. 95-84, § 2, Aug. 2, 1977, 91 Stat. 400; Pub. L. 95-467, title II, § 205(a), (b), Oct. 17, 1978, 92 Stat. 1311; Pub. L. 96-457, § 3, Oct. 15, 1980, 94 Stat. 2032; Pub. L. 98-242, title I, § 110(a), Mar. 22, 1984, 98 Stat. 101, which directed Secretary of the Interior to construct facilities demonstrating the engineering and economic viability of various desalting processes, was transferred, and is set out as a Desalting Plants note under section 10301 of this title.

#### ADDITIONAL AUTHORIZATION OF APPROPRIATIONS

Pub. L. 95-467, title II, § 205(c), Oct. 17, 1978, 92 Stat. 1311, which authorized an appropriation of \$10,000,000 to remain available until expended for the fiscal year ending Sept. 30, 1980, and thereafter in addition to sums previously authorized to be appropriated to carry out the purpose of this section, was repealed by Pub. L. 96-457, § 4, Oct. 15, 1980, 94 Stat. 2034, and Pub. L. 98-242, title I, § 110(a), Mar. 22, 1984, 98 Stat. 101.

## SUBCHAPTER III—TECHNOLOGY TRANSFER AND INFORMATION DISSEMINATION

### §§ 7851 to 7853. Repealed. Pub. L. 98-242, title I, § 110(a), Mar. 22, 1984, 98 Stat. 101

Section 7851, Pub. L. 95-467, title III, § 300, Oct. 17, 1978, 92 Stat. 1312, provided for creation and operation of a research assessment and technology transfer program.

Section 7852, Pub. L. 95-467, title III, § 301, Oct. 17, 1978, 92 Stat. 1312, authorized the Secretary to maintain a national center for acquisition, processing, and dissemination of information dealing with all areas of water research.

Section 7853, Pub. L. 95-467, title III, § 302, Oct. 17, 1978, 92 Stat. 1312, provided for establishment of a center for cataloging current scientific research in all fields of water resources.

For similar provisions, see section 10301 et seq. of this title.

## SUBCHAPTER IV—GENERAL PROVISIONS

### §§ 7871 to 7883. Repealed. Pub. L. 98-242, title I, § 110(a), Mar. 22, 1984, 98 Stat. 101

Section 7871, Pub. L. 95-467, title IV, § 400, Oct. 17, 1978, 92 Stat. 1313, enumerated powers of Secretary of the Interior in carrying out this chapter.

Section 7872, Pub. L. 95-467, title IV, § 401, Oct. 17, 1978, 92 Stat. 1313; Pub. L. 96-457, §§ 1, 2(a), Oct. 15, 1980, 94 Stat. 2032, authorized appropriation of funds for programs under sections 7811(a) and (c), 7815(a) and (b), and 7819 of this title.

Section 7873, Pub. L. 95-467, title IV, § 402, Oct. 17, 1978, 92 Stat. 1314; Pub. L. 96-457, § 2(b)(1), Oct. 15, 1980, 94 Stat. 2032, authorized appropriation of funds for research, development, and demonstration plants.

Section 7874, Pub. L. 95-467, title IV, § 403, Oct. 17, 1978, 92 Stat. 1314; Pub. L. 96-457, § 2(b)(2), Oct. 15, 1980, 94 Stat. 2032, authorized appropriation of funds for programs conducted under this chapter for which there were no specific appropriations.

Section 7875, Pub. L. 95-467, title IV, § 404, Oct. 17, 1978, 92 Stat. 1314, related to grant applications, approval of applications by the Secretary, and the basis of approvals.

Section 7876, Pub. L. 95-467, title IV, § 405, Oct. 17, 1978, 92 Stat. 1315, related to payments to institutes and accounting for such payments.

Section 7877, Pub. L. 95-467, title IV, § 406, Oct. 17, 1978, 92 Stat. 1315, related to cooperation in research programs between Federal agencies, State and local governments, private institutions, and individuals.

Section 7878, Pub. L. 95-467, title IV, § 407, Oct. 17, 1978, 92 Stat. 1316, authorized conveyance of property acquired by the Secretary to a cooperating institute, educational institution, or cooperating nonprofit organization, and empowered the Secretary to dispose of water and byproducts resulting from operations under this chapter.

Section 7879, Pub. L. 95-467, title IV, § 408, Oct. 17, 1978, 92 Stat. 1316, set out policy under this chapter with regard to patents.

Section 7880, Pub. L. 95-467, title IV, § 409, Oct. 17, 1978, 92 Stat. 1316, provided for annual reports to the Secretary by various water research institutes.

Section 7881, Pub. L. 95-467, title IV, § 410, Oct. 17, 1978, 92 Stat. 1316, provided that the chapter was not intended to repeal, supersede, or diminish existing authorities of agencies concerning water resources, or to be construed to alter existing law with respect to ownership and control of water.

Section 7882, Pub. L. 95-467, title IV, § 411, Oct. 17, 1978, 92 Stat. 1317, Pub. L. 96-457, § 2(b)(3), Oct. 15, 1980, 94 Stat. 2032, provided for transmittal of rules, regulations, etc., to the Speaker of the House and President of the Senate.

Section 7883, Pub. L. 95-467, title IV, § 412, Oct. 17, 1978, 92 Stat. 1317, provided that authority to enter into contracts or cooperative agreements and to make payments under this chapter was effective only to the extent or in such amounts as were provided in advance in appropriations acts.

For prior provisions, see section 10301 of this title.

#### LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEARS 1982 TO 1984

Pub. L. 97-35, title XVIII, § 1807(b), Aug. 13, 1979, 95 Stat. 765, provided that no funds were authorized to be appropriated to the Secretary of the Interior for the purposes of water resources research and development, saline water research, development, and demonstration, and associated activities in excess of \$23,650,000 per fiscal year for each of the fiscal years ending September 30, 1982, September 30, 1983, and September 30, 1984.

### CHAPTER 88—URANIUM MILL TAILINGS RADIATION CONTROL

Sec.

7901. Congressional findings and purposes.

#### SUBCHAPTER I—REMEDIAL ACTION PROGRAM

7911. Definitions.

7912. Processing site designations.

7913. State cooperative agreements.

7914. Acquisition and disposition of lands and materials.

Sec.

7915.

Indian tribe cooperative agreements.

7916.

Acquisition of land by Secretary; transfer of public lands by Secretary of the Interior to Secretary; consultations with Governor; consent of Governor; transfer from Federal agency to Secretary.

7917.

Financial assistance.

7918.

Remedial action and mineral recovery activities.

7919.

Rules.

7920.

Enforcement.

7921.

Public participation; public hearings.

7922.

Termination of authority of Secretary.

7923.

Limitation of contractual authority.

7924.

Reports to Congress.

7925.

Active operations; liability for remedial action.

#### SUBCHAPTER II—STUDY AND DESIGNATION OF TWO MILL TAILING SITES IN NEW MEXICO

7941.

Study of authority for regulation and control of residual radioactive materials at New Mexico sites for protection of public health, safety, and the environment; report to Congress and Secretary; basis for determination of inadequacy of authority; interim regulation pending completion of study.

7942.

Designation by Secretary as processing sites for subchapter I purposes.

### § 7901. Congressional findings and purposes

(a) The Congress finds that uranium mill tailings located at active and inactive mill operations may pose a potential and significant radiation health hazard to the public, and that the protection of the public health, safety, and welfare and the regulation of interstate commerce require that every reasonable effort be made to provide for the stabilization, disposal, and control in a safe and environmentally sound manner of such tailings in order to prevent or minimize radon diffusion into the environment and to prevent or minimize other environmental hazards from such tailings.

(b) The purposes of this chapter are to provide—

(1) in cooperation with the interested States, Indian tribes, and the persons who own or control inactive mill tailings sites, a program of assessment and remedial action at such sites, including, where appropriate, the reprocessing of tailings to extract residual uranium and other mineral values where practicable, in order to stabilize and control such tailings in a safe and environmentally sound manner and to minimize or eliminate radiation health hazards to the public, and

(2) a program to regulate mill tailings during uranium or thorium ore processing at active mill operations and after termination of such operations in order to stabilize and control such tailings in a safe and environmentally sound manner and to minimize or eliminate radiation health hazards to the public.

(Pub. L. 95-604, § 2, Nov. 8, 1978, 92 Stat. 3021.)

#### REFERENCES IN TEXT

This chapter, referred to in subsec. (b), was in the original “this Act”, meaning Pub. L. 95-604, Nov. 8, 1978, 92 Stat. 3021, as amended, known as the Uranium Mill Tailings Radiation Control Act of 1978. For complete classification of this Act to the Code, see Short Title note below and Tables.